

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**MICAH 6:8 MISSION and  
HEALTHY GULF**

**VERSUS**

**REYNOLDS METALS COMPANY,  
L.L.C.**

**CIVIL ACTION NO. 2:25-cv-00156**

**JUDGE JAMES D. CAIN, JR.**

**MAGISTRATE JUDGE  
THOMAS P. LEBLANC**

**MOTION FOR LEAVE TO FILE A SUR-REPLY IN FURTHER OPPOSITION  
TO PLAINTIFFS' MOTION TO ALTER JUDGMENT**

Defendant, Reynolds Metals Company, LLC ("Reynolds"), respectfully submits this Motion for Leave to File Sur-reply to Plaintiffs' Motion to Alter Judgment. Plaintiffs, Micah 6:8 Mission and Healthy Gulf, oppose this motion.

Plaintiffs, Micah 6:8 Mission and Healthy Gulf, lodged a Reply to Reynolds' Opposition to Plaintiffs' Motion to Alter Judgment. In this reply, Plaintiffs attempt to mislead the Court with incorrect and inapplicable references to a 1989 preamble in a proposed EPA regulation dealing with confidential business information ("CBI"), which is not an issue in the present litigation, 54 Fed. Reg. 38156, 38157. Plaintiffs rely upon reference in this preamble to support their argument that Form R Toxic Release Inventory Reporting is useful in the "development and enforcement of NPDES Permit Limits."<sup>1</sup> The proposed regulation referred to by the Plaintiffs was not promulgated and the pertinent rule, 40 C.F.R. §2.302, was not amended. Thus, the issue and EPCRA reference that is discussed by the Plaintiffs is not found in the existing CBI regulation. 40 C.F.R. §2.302. This regulation deals with whether information gathered under CWA §308

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<sup>1</sup> Doc 41, p. 6.

(information collection) and CWA §509 (administrative procedure) is available to the public. It is not applicable to the Reynolds case.

Plaintiffs also continue to misstate the law concerning jurisdiction along with the holding of *Williamson v. Tucker*, 645 F.2d 404 (5<sup>th</sup> Cir. 1981).

Reynolds respectfully requests leave of the Court to address these concerns in a sur-reply.

**WHEREFORE**, Reynolds respectfully requests that the Court enter an order granting Reynolds' Motion for Leave to File a Sur-Reply.

Respectfully submitted on October 14, 2025.

/s/Andrew J. Harrison, Jr.

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***Attorneys for defendant Reynolds Metals Company,  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 14, 2025, the foregoing Motion for Leave to File a Sur-Reply in Further Opposition to Plaintiffs' Motion to Alter Judgment was filed electronically using the CM/ECF system which will send notice of electronic filing to all counsel of record.

/s/Madeline Briody